

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:08cr134

UNITED STATES OF AMERICA)
)
)
vs.) O R D E R
)
MANUEL DE JESUS AYALA, et al.)
)

)

THIS MATTER is before the Court on the government's second motion to unseal plea agreements and plea hearing minutes for Carlos Ferfufino Bonilla. (Doc. No. 954). The defendant objects to the governments motion. (Doc. No. 957).

The defendant does not allege any direct threat, but expresses fear that MS-13 gang members may interpret his decision to plead as a threat to its members. In this case, 26 defendants were charged and only 7 went to trial. A small number of co-defendants testified in the two trials related to this case. The defendant was not one of those witnesses. Therefore his generalized concern about retaliation is not sufficient to outweigh the public's interest in open sentencing proceedings. In re Washington Post Co., 807 F.2d 383, 389 (4th Cir. 1986). If a specific threat develops, the Court has confidence in the ability of law enforcement to address it.

IT IS, THEREFORE, ORDERED that the government's motion is **GRANTED**, and the plea agreement and plea hearing minutes of the defendant are **UNSEALED**.

Signed: June 23, 2010



Robert J. Conrad, Jr.
Chief United States District Judge
